

#5 11-9-03
IDS 4/Refers

In re the Application of

Inventors: Hidenori KAYAMA et al.

Art Unit: 2681

Application No.: 09/890,072

Filed: July 26, 2001

For: RADIO COMMUNICATION APPARATUS AND TRANSMISSION POWER
CONTROL METHODINFORMATION DISCLOSURE STATEMENT

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Technology Center 2600

Assistant Commissioner of Patents
Washington, DC 20231

Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. JP '724, JP '170 and WO '197 were cited in a Japanese Office Action dated August 12, 2003 (English translation attached). US '224 corresponds to WO '197 and US '084 corresponds to JP '170. JP '633 and JP '056 are already of record filed June 26, 2001.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,

James E. Ledbetter
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Date: October 30, 2003

JEL/spp

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